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Section 7. "The revisers of bills shall receive a salary of seven and one-half dollars a day and necessary expenses for actual time spent and may employ at the expense of the State necessary clerical and stenographic assistance." (Laws, 1912, p. 14.)

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Initiative and Referendum: The sentiment in favor of direct legislation during 1913 was exceptionally strong and succeeded in expressing itself in a number of concrete and well matured measures. Legislation providing for the initiative and referendum or perfecting existing statutes and constitutional amendments was enacted in 19 States, including Arizona, Arkansas, California, Colorado, Iowa, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Washington and Wisconsin. These acts and resolutions provide for the adoption of the necessary constitutional amendments, prescribe the procedure in carrying out the amendments already adopted and describe the actual propositions on which a plebiscite has been demanded.

Constitutional Amendments. Proposals for constitutional amendments to establish the initiative and the referendum were adopted by the legislatures of seven States during 1913, including Iowa, Michigan, Minnesota, Missouri, North Dakota, Texas and Wisconsin. The Michigan amendment, which was submitted to the people in April, 1913, provides for the statutory and constitutional initiative and the referendum. All three propositions were adopted by substantial majorities, although the vote in favor of the constitutional initiative was considerably the least. Petitions designed to initiate constitutional amendments must be signed by at least 10 per cent and legislative measures by at least 8 per cent of the qualified electors and they are adopted if approved by a majority of the electors voting thereon. Any act of the legislature is subject to the referendum, except appropriation and emergency measures, if a petition signed by 5 per cent of the qualified electors is filed in protest.¹ The amendments proposed in the other six States will be voted on at the general election of 1914. The Minnesota amendment provides for the constitutional and statutory initiative and the referendum. Constitutional amendments may be initiated by 2 per cent of the qualified electors. The legislature may submit

¹ Laws 1913, p. 780.

the proposed amendment to the people or if they refuse to submit it or submit it in an altered form, then on petition of 8 per cent of the qualified electors, the proposed amendment as originally presented or in an amended form may be submitted directly to the people for adoption or rejection. If approved by a majority of the electors voting at the election or by at least 4 to 7 of the electors voting on the proposed amendment provided not less than 3 to 7 of the electors voting at the election voted for the proposed amendment, it is adopted. The statutory initiative is similar except that the original petition is signed by 2 per cent of the qualified electors and the subsequent petition by 6 per cent and a majority vote is sufficient to adopt. Referendum petitions must be signed by 6 per cent of the qualified electors. All measures except emergency measures are subject to the referendum and they must pass by a 2 to 3 vote of each house to be so designated. If the referendum petition is signed by 15 per cent of the electors the objectionable part is suspended until the referendum vote is had.² The Iowa amendment fixes the number of qualified electors necessary to propose a measure at from 12 to 22 per cent, and the number required to invoke the referendum at from 10 to 20 per cent, the legislative assembly being authorized to designate the exact per cent.³ The Missouri amendment provides for the initiation of any measure if requested by 8 per cent and the reference if petitioned for by 5 per cent of the qualified electors resident in 2 to 3 of the congressional districts.⁴ In North Dakota, both the initiative and referendum may be invoked on petition signed by at least 10 per cent of the qualified electors resident in a majority of the counties of the State. Initiated measures take precedence over all others in the legislature except appropriation bills and must be disposed of within forty days, but the assembly may propose a similar measure to accomplish the same purpose and both are then submitted to a direct vote of the people. Any measure may be referred to a vote of the people by a majority vote of the legislative assembly.⁵ The proposed Texas amendment fixes the number of qualified electors necessary to invoke the initiative or the referendum at 20 per cent⁶ and Wisconsin at 8 per cent, not more than half of whom are from any one county.⁷ A constitu-

² Laws 1913, p. 889.

³ Laws 1913, p. 423.

⁴ Laws 1913, p. 774.

⁵ Laws 1913, p. 127.

⁶ Laws 1913, p. 464.

⁷ Laws 1913, p. 1369.

tional amendment was adopted in Massachusetts in November, 1913, which provides that the general court shall have the authority to refer any act or resolve to the people for approval or rejection by a majority vote.⁸

Comprehensive State-Wide Initiative and Referendum Acts. Nebraska, Washington and Colorado passed comprehensive state-wide initiative and referendum acts prescribing detailed procedure in invoking these measures, including the preparation and filing of petitions, the drafting of appropriate ballot titles, the publication of measures to be submitted to the plebiscite, with both favorable and unfavorable arguments, the persons or organizations responsible for the initiation of the measure, the placing of the initiated or referential measure on the ballot so as to avoid entangling alliances with the residue of the party ticket.⁹

Initiative and Referendum in Municipalities. Arkansas, Missouri and Colorado provided for the municipal referendum. In Arkansas the petitions protesting against the passage of any ordinance are signed by 20 per cent of the legal voters,¹⁰ in Colorado by 15 per cent, and in Missouri by 10 per cent. Ordinances, charters or charter amendments may be initiated in any Colorado city on petition signed by 5 per cent of the qualified electors,¹¹ and in cities of the second class in Missouri by 15 per cent, where also the referendum on granting of franchises and providing for the sale of municipal utilities is obligatory.¹²

Amendments to Existing Laws. In those States which already had the initiative and referendum, several amendments or supplementary statutes were enacted designed to facilitate the operation of the laws to clarify the procedure and to safeguard the plebiscite from corrupt practices. The Montana law was amended to provide for an appropriate numbering of the measures which are submitted to a vote of the people, and to restrict the descriptive matter on the ballot to ten words.¹³ Oklahoma in two separate statutes provided for the printing of a separate ballot when state questions are submitted to a referendum vote, and prescribed punishment for the illegal expenditure of public funds for the purpose of promoting the adoption or defeat of any such

⁸ Laws 1913, p. 1174.

⁹ Laws 1913, Nebraska, p. 488; Washington, p. 418; and Colorado, p. 310.

¹⁰ Laws 1913, p. 563.

¹¹ Laws 1913, p. 310.

¹² Laws 1913, p. 441, 443 and 445.

¹³ Laws 1913, p. 129.

measures.¹⁴ Ohio supplemented her initiative and referendum laws by prohibiting the giving or receiving of money for signing petitions; providing that the initiative and referendum shall apply equally to each of the several plans of municipal government provided for in that State; requiring the publication of referendum measures in pamphlet form for distribution; and providing that petitions designed to invoke the initiative or referendum in any municipality shall be signed by 10 per cent instead of 30 per cent of the qualified electors; and that all ordinances shall be subject to the referendum.¹⁵ Besides altering the general procedure outlined in the law, Oregon has provided that the ballot titles of measures shall contain the names of the persons or organizations by whose authority the measure was initiated; a distinctive short title of not to exceed ten words; and a general title of not to exceed 100 words expressing the purpose of the measure.¹⁶ Wisconsin, by a slight amendment to her law, prohibits members of the common council of any city or any municipal officer from circulating referendum petitions.¹⁷ To insure adequate familiarity with measures to be voted on, Massachusetts provided for the printing and distribution of copies of any proposed law or amendment to each voter in any city of the State, or upon a vote of the city council, with the approval of the mayor, the general purport of the law may be substituted, or no such documents may be distributed at all.¹⁸ Colorado, by an act approved April 13, forbids any state officer or employer from preparing or circulating any initiative or referendum petition, or soliciting any person to sign such petition.¹⁹ California restricts signatures to registered, qualified electors, provides for the preparation of ballot titles, the creation of a board of title commissioners and the placing of propositions to be voted on at the right of the ballot.²⁰

Initiated Measures Adopted. Two initiated measures were adopted by Oklahoma, one providing for the preferential selection of United States senators, and the other for the creation of a state board of agriculture.²¹ The State of Oregon, to which these measures are indig-

¹⁴ Laws 1913, p. 91 and 111.

¹⁵ Laws 1913, p. 653, 784, 831 and 211.

¹⁶ Laws 1913, p. 67 and 743.

¹⁷ Laws 1913, p. 1091.

¹⁸ Laws 1913, p. 344.

¹⁹ Laws 1913, p. 309.

²⁰ Laws 1913, p. 225 and 1157.

²¹ Laws 1913, p. 733 and 737.

enous has been by far the most active. At the general election of November 5, 1912, three constitutional amendments and seven laws were adopted. The constitutional amendments approved provide for woman's suffrage and bonding the State and the several counties for the construction and maintenance of roads in any sum not in excess, with other constitutional liabilities, of 2 per cent of the assessed valuation of the taxable property. The laws adopted are designed to provide for the regulation of public utilities; to afford protection to sub-contractors, laborers and material men and to fix a day's labor at eight hours when the State or any political subdivision thereof is a party to the contract; to prohibit the employment of state or municipal convicts by persons or private corporations and to provide for their employment on the public highways; to remove from the tax exemption lists lands belonging to the State or any public corporation and held under contract for the purchase thereof; to provide for the classification of freight ratings and minimum carload weights; to prohibit Harney County from building a court house before 1916, and to refund all taxes raised for that purpose; and to abolish the county high school of Wallowa County.²² Arizona has been hardly less active. At the general election of November 5, 1912, eight acts were adopted by the referendum vote and became effective one month later, on December 5. These laws provide for the attachment of liens to mines and mining claims in favor of laborers and materialmen; the semi-monthly payment of wages to employees; full train crews; the installation of electric head lights of 1500 candle power on all locomotives; an apprenticeship of three years for engineers and conductors; the limitation of the number of cars in freight and passenger trains; the fixing of the rate for transporting passengers at three cents per mile but authorizing the corporation commission to exempt any railroad upon satisfactory proof that it is not earning a just and reasonable compensation for the services rendered; and providing for the preservation of game, birds and animals. At the same election, a constitutional amendment providing for woman's suffrage was adopted.²³

Initiated Measures Rejected. Oregon rejected two measures providing for additional equipment for the University.²⁴

Acts Against which Referendum Petitions were Filed. Up to June 3, 1913, referendum petitions were filed against five acts passed by the

²² Laws 1913, p. 7 to 20.

²³ Laws 1913, p. 5 and 7 to 32.

²⁴ Laws 1913, p. 10 (?).

legislative assembly of Oregon of that year and these measures will be submitted to a vote of the people on November, 1913. The acts which the people will be called upon to approve or reject provide for the asexualization of habitual criminals, moral degenerates and sexual perverts;²⁵ for the creation of a state industrial accident commission and an industrial accident fund;²⁶ for the appropriation of \$175,000 for the construction of additional buildings at the University of Oregon;²⁷ and for certain repairs and improvements;²⁸ and for the election of district attorneys in the several counties of the State.²⁹

The people of the State of Washington will vote on two propositions which were submitted by the legislature. The first of these provides for the irrigation of Quincy Valley and the second for the establishment of a retirement fund to be used in the payment of annuities and benefits to retired teachers.³⁰

Massachusetts by an act approved June 16, provided for submitting to the qualified electors of every city and town in the State the question whether eight hours shall constitute a day's work for city and town employees.³¹

Propositions to be Voted on in 1914. Several initial propositions will be submitted to a vote of the people this year. South Dakota will vote on a constitutional amendment to provide that "in the case of municipalities the legislature shall by law fix the percentage of the qualified electors of the municipality that shall be required to invoke either the initiative or referendum,"³² and on two statutes, one a direct primary law for endorsing party candidates for President, and United States senator and for making party nominations for congressmen and all state, county and judicial officers and for electing delegates to national and state conventions and national, state, county and precinct committeemen,³³ the other to provide for the regulation of the manufacture and sale of intoxicating liquors.³⁴ Oregon will vote on ten initiated propositions on November, 1914. Three of these are laws and include

²⁵ Laws 1913, p. 99.

²⁶ Laws 1913, p. 188.

²⁷ Laws 1913, p. 403.

²⁸ Laws 1913, p. 405.

²⁹ Laws 1913, p. 686.

³⁰ Laws 1913, p. 660, 129.

³¹ Laws 1913, p. 920.

³² Laws 1913, p. 173.

³³ Laws 1913, p. 243.

³⁴ Laws 1913, p. 376.

provisions for the permanent support of the Eastern Oregon State Normal School at Weston,³⁵ to provide for a committee of four from the senate and six from the house to act with the tax commission, in preparing measures relating to taxation,³⁶ and to provide for the permanent support of the Southern Oregon State Normal School at Ashland.³⁷ There are in addition seven constitutional amendments granting all citizens over twenty-one years of age the right to vote,³⁸ authorizing the election of a lieutenant-governor in 1918 to serve during the absence or inability of the governor;³⁹ to lend the credit of the State in building roads, constructing irrigation or power projects and developing the untilled lands, to the extent of 2 per cent of the assessed valuation of the taxable property of the State,⁴⁰ to provide for reasonable classification of property for taxation, graduated, proportional and progressive with reasonable exemptions,⁴¹ for the merging of contiguous municipalities,⁴² to provide that in any county containing a city having a population of 100,000, a new county may be established with boundaries coterminous and co-extensive with the boundaries of the city and that the city and county government may be consolidated and a new county created out of the excluded portions,⁴³ and to fix the compensation of the members of the legislative assembly at \$5 per day or not to exceed \$300 for any regular or \$125 for any special session.⁴⁴ The question of the salaries of the county officers of Columbia County is to be submitted to the voters of that county at the same time.⁴⁵

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Public Health Council: A measure of unusual significance from the administrative point of view was enacted in New York in 1913, in the creation of a public health council with wide and extensive powers.

The council is to consist of seven members including the commissioner

³⁵ Laws 1913, p. 354.

³⁶ Laws 1913, p. 800.

³⁷ Laws 1913, p. 275.

³⁸ Laws 1913, p. 795.

³⁹ Laws 1913, p. 802.

⁴⁰ Laws 1913, p. 797.

⁴¹ Laws 1913, p. 803.

⁴² Laws 1913, p. 804.

⁴³ Laws 1913, p. 805.

⁴⁴ Laws 1913, p. 805.

⁴⁵ Laws 1913, p. 770.